

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ANNE MARIE CONNOR,)
)
)
Plaintiff,)
)
)
v.) Civil Action No. 05-370-GMS
)
)
UNITED STATES OF AMERICA,)
)
)
Defendant.) MOTION TO DISMISS

The United States of America moves to dismiss Anne Marie Connor's "Request for *Speedy Declaratory Judgment.*" There is no waiver of sovereign immunity that gives this Court jurisdiction to entertain Connor's suit. Accordingly, the complaint should be dismissed pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure.

A memorandum of points and authorities will be filed with this motion.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

By:


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OF COUNSEL:

Charles H. Keen
Trial Attorney, Tax Division
U.S. Department of Justice
P. O. Box 227
Washington, DC 20044
(202) 307-6536

Date: September 13, 2005

IT IS SO ORDERED this _____ day of _____, 2005

HONORABLE GREGORY M. SLEET
District Judge
United States District Court

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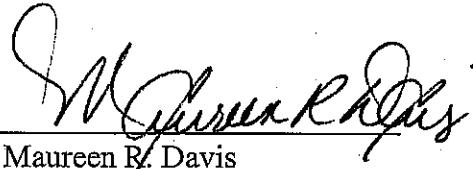
AFFIDAVIT OF SERVICE

I, MAUREEN R. DAVIS, an employee in the Office of the United States Attorney for the District of Delaware, hereby attest under penalty of perjury that on September 13, 2005, the foregoing:

MOTION TO DISMISS

was served by causing two copies of said document to be delivered via United States Mail, First Class, postage prepaid, to the following address:

Anne Marie Connor
7 Kent Avenue
Bethany Beach, DE 19930

BY: 
Maureen R. Davis
Legal Assistant